

REMARKS

This application has been reviewed in light of the Office Action dated July 1, 2005. Claims 1, 2, 4-7, 18-20, and 23-28 are pending in this application, of which Claims 1, 18 and 23 are in independent form. Claims 1, 4, 7, 18, 23 and 28 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

Claims 1, 2, 4-7, 18-20 and 23-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,804,016 (Hashimoto) in view of U.S. Patent 5,507,003 (Pipkins).

As shown above, Applicant has amended independent Claims 1, 18 and 23 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to an image output apparatus including an image generator, a controller and an image forming unit. The image generator is adapted to generate bitmap data based upon page description language transmitted from a host computer. The controller is adapted to receive the bitmap data generated by the image generator and transmit the bitmap data to an image forming unit. The image forming unit is adapted to record an image on a recording medium based upon the bitmap data inputted from the controller. The controller detects an occurrence of an error in the image generator and, when an error has been detected, issues the image generator an order to execute an initialization or a reset, and the controller judges that an error has occurred in the image

generator if an instruction that has been transmitted to the image generator is not responded to in a predetermined period of time.

Among other notable features of Claim 1 is a controller that detects an occurrence of an error in the image generator and, when an error has been detected, issues the image generator an order to execute an initialization or a reset.

Hashimoto does not teach or suggest all of the features of Claim 1 and, from the Office Action, it is understood that the Examiner does not disagree.

Hashimoto relates to a control apparatus for a scanner/printer. When an error occurs in a job processing operation and the printer is restored from the abnormality, the job is restarted. The Office Action admits that Hashimoto does not teach or suggest a restart of the process in response to a failure to generate an instruction following a predetermined time. In addition, Applicant respectfully submits that Hashimoto does not teach or suggest that the “controller detects an occurrence of an error in said image generator and, when an error has been detected, issues said image generator an order to execute an initialization or a reset,” as recited in Claim 1. Rather, in Hashimoto, a job is restarted, as opposed to an image generator being reset, as recited in Claim 1. Indeed, if the job of Hashimoto were initialized or reset, it would be lost.

Pipkins does not remedy the deficiencies of Hashimoto. Pipkins relates to a protocol for providing bidirectional communication capability between a host computer and a printer over a parallel interface. The host computer and the printer have a forward channel therebetween for the transfer of signals from the host computer to the printer, and the channel can be turned around so as to establish a reverse channel to allow transfer of

data from the printer to the host computer. Pipkins discusses protocol timeouts wherein if a wait loop on the host computer times out while a dialogue is open, the host attempts to close the dialogue. If a timeout occurs while the host is closing the dialogue, the host can reset the printer to abort the dialogue and cancel the job. However, Applicant has found nothing in Pipkins that would teach or suggest that the “controller detects an occurrence of an error in said image generator and, when an error has been detected, issues said image generator an order to execute an initialization or a reset, or that the “controller judges that an error has occurred in said image generator if an instruction that has been transmitted to said image generator is not responded to in a predetermined period of time, as recited in Claim 1.

Accordingly, Applicant submits that Claim 1 is patentable over Hashimoto and Pipkins, whether considered separately or in any permissible combination (if any).

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against Claim 1.

Independent Claims 18 and 23 recite features similar to those discussed above with respect to Claim 1 and therefore are also believed to be patentable over the cited art for the reasons discussed above. Moreover, in this regard, it is noted that the Office Action does not even allege (1) the recitation in Claim 18 that the “controller issues said image generator the order to execute initialization or to reset, in response to an instruction to initialize or to reset said image generator with said display unit, or (2) the recitation of Claim 23 that the “controller, which has detected the occurrence of an error in

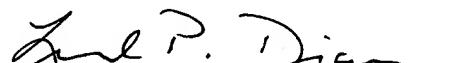
said image generator, halts communication with said image generator and notifies an operator of occurrence of the error by a display or sound before the order to execute initialization or reset is issued to said image generator. Accordingly, not even *prima facie* case of obviousness has been made out with respect to those claims.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Leonard P. Diana
Attorney for Applicant
Registration No.: 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200